

Customer No. 22,852
Attorney Docket No. 07580.0006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Phase of International)
Application No. PCT/JP2004/005444)
under 35 U.S.C. 371 of:)
Satoshi YOSHIDA, et al.) Group Art Unit:
Application No.: Not Yet Assigned) Examiner:
Filed: October 18, 2005)
For: **AGENT FOR INCREASING**)
GRANULOCYTE)
MACROPHAGE COLONY)
STIMULATING FACTOR)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. Copies of the listed foreign patent and non-patent literature documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. Japanese Patent Application No. 2813471
2. Japanese Patent Application No. 2000-281584
3. Japanese Patent Application No. 11-116498
4. Japanese Patent Application No. 10-279491

An English-language abstract of documents 2-4 is enclosed.

5. ATOYAMA, et al., "Heikeigo Futei Shusorei ni Okeru Macrophage Activating Chinese Mixed Herbs (MACH) no Men'ekikei Inshi Chosei Sayo to Rinsho Koka"

6. YAMAMOTO, et al., "Taka Shibosan ni yoru Seitai Hanno Shushoku"

7. HAYASHI, et al., "Shinshuka ni Okeru n-3-Kei Shibo Nyuzai no Toyoryo ga Men'eki Hanno ni Ataeru Koka to Granulocyte-Macrophage Colony Stimulating Factor (GMCSF), no Kanyo"

8. SKRZYPCZAK, et al., "M GM-CSF influence the ability to fertilize oocyte?"

9. INUKAI, et al., "Benibanachu no Serotonin Yudotai no Enshosei Sansho Sogai Narabi ni Sen'I Ga Saibo Zoshoku Sayo"

In lieu of a statement of relevance or the translation of the non-English documents, enclosed is an English-language international search report from the Japanese Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing these documents and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

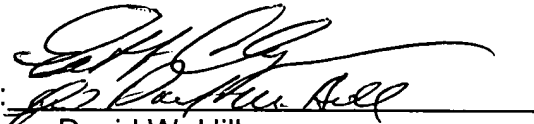
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 18, 2005

By:



David W. Hill
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Enclosures
DWH/FPD/rac

ERNEST F. CHAPMAN
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10/553798

Substitute for form 1449A/PTO

JC06 Rev'd PCT/PTO 18 OCT 2005

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	1	Application Number	
				Filing Date	October 18, 2005
				First Named Inventor	Satoshi YOSHIDA
				Art Unit	
				Examiner Name	
				Attorney Docket Number	07580.0008

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-5,753,266	05-19-1998	YOUSSEFYEH, et al.	
		US-			
		US-			
		US-			
		US-			
		US-			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		JP 2813471 B	08-07-1998	YAMANOUCHI PHARMACEUTICAL CO., LTD.		
		JP 2000-281584	10-10-2000	YOSHIDA, et al.		Abstract
		JP 11-116498	04-27-1999	YOSHIDA, et al.		Abstract
		JP 10-279491	10-20-1998	KUSUOKU, et al.		Abstract

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		ATOYAMA, et al., "Heikeigo Futei Shusorei ni Okeru Macrophage Activating Chinese Mixed Herbs (MACH) no Men'ekikei Inshi Chosei Sayo to Rinsho Koka", Japanese Journal of Oriental medicine, Vol. 54, pages S118 and S247, (April 2003)	NO
		YAMAMOTO, et al., "Taka Shibosan ni yoru Seitai Hanno Shushoku", JJPEN, Vol. 23, No. 6, Fig. 3, pages 321 - 325, (2001)	NO
		HAYASHI, et al., "Shinshuka ni Okeru n-3-Kei Shibo Nyuzai no Toyoryo ga Men'eki Hanno ni Ataeru Koka to Granulocyte-Macrophage Colony Stimulating Factor (GM-CSF), no Kanyo", The Japanese Journal of Surgical Metabolism and Nutrition, Vol. 31, No. 4, Fig. 3, pages 225-233, (1997)	NO
		SKRZYPCZAK, et al., "M GM-CSF influence the ability to fertilize oocyte?", Ginekologia polska, Vol. 70, No. 6, pages 433-439, (1999)	NO
		INUKAI, et al., "Benibanachu no Serotonin Yudotai no Enshosei Sansho Sogai Narabi ni Sen'I Ga Saibo Zoshoku Sayo", Symposium on Toxicology and Environmental Health, Vol. 25, page 89, (1999)	NO

Examiner Signature		Date Considered	
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